

## KINGSBURY COUNTY BOARD OF ADJUSTMENT

**\*\*unapproved draft minutes\*\***

The Kingsbury County Commission convened acting as the Board of Adjustment on Tuesday, July 21, 2026 at 10:00 A.M. in the Courtroom of the Courthouse in De Smet, South Dakota, for the purpose of considering the Conditional Use application from Blake Hojer.

Blake Hojer is requesting a 25-year extension to an existing Conditional Use Permit Pursuant to Section 4.01.02.04 Chapter 5.11, and Section 6.05.01, to be located in the following legal description:

The Southeast Quarter (SE1/4), except the South 690.0 Feet of the East 945.0 Feet, and except Lot H-a, Section Twenty-one (21), Township One Hundred Eleven (111) North, Range Fifty-six (56) West of the 5<sup>th</sup> P.M., in Kingsbury County, South Dakota.

Board members present were Troy Nelson, Kyle Lee, Curt Lundquist, Steve Spilde and Roger Walls. Chairman Lee presided.

Also in attendance was Corey Lundquist, Planning and Zoning Officer; Jessica Bingham, Human Resources Consultant; Blake Hojer, Applicant; Todd Wilkinson, Deputy States Attorney; Grace Casper, Intern; Madeline Reints, Paralegal and Shelby Guerdit, Willow Lake

Attending by Zoom were Amy Halverson of the Kingsbury Journal; Erin Rusher, Deputy Treasurer; Tammy Anderson, Director of Equalization; Kristen Longville, Emergency Manager; Jennifer Krueger, Deputy Auditor; and Steve Strande, Sheriff.

### APPLICANT

Blake Hojer informed the Board he is applying for a 25-year extension of his current conditional use permit. The current project the gravel pit was for is nearing completion and he wants to continue the mining operation.

### BOARD DISCUSSION

The Board clarified with Hojer the application was for the whole SE1/4.

Commissioner Walls questioned the reason behind the 25-year term. Hojer explained he had based the term on previous conditional use permits.

The Board discussed the option of limiting mining on a 20-acre parcel at a time and new area only be mined after reclamation of the current one.

Wilkinson asked Hojer if he would be resodding the area that is currently mined and then opening a new area. Hojer responded he would potentially be and wants that to be an option.

Wilkinson asked if the current 20 acres site is mined out. Hojer responded it is not, but the project is complete.

Wilkinson asked if the current state is going to be reclaimed now. Hojer responded it would be reclaimed now.

Wilkinson explained the current site reclamation would be done and that Hojer is looking for approval to open up another potential 20-acre site and that the Board could look at extending the current conditional use permit and possibly limit the excavation on a 20-acre site or less going forward.

Hojer questioned if that was common with other gravel pits.

It was determined there is an easement with US Fish and Wildlife and Hojer has a General Activities Special Use Permit by the US Fish and Wildlife which does not like to have one area disturbed for more than 5 years and this permit would govern what will take place and the Board would not need to.

Corey Lundquist, Planning and Zoning Officer, inquired if the existing driveway would remain. Hojer informed the Board it would.

Wilkinson recommended the Board keep the terms and conditions of the original conditional use in place and only extend the term to 25 years provided that as a new site is opened the reclamation is done on the old site.

#### PROPOSERS

Chairman Lee asked if there were any proposers.

Shelby Guerdit voiced concerns with the dust and gravel accumulation in the ditch. However, she is not opposed to the gravel operation or the conditional use permit. These concerns should be addressed by the Township.

#### OPPOSERS

Chairman Lee asked if there were any opposers.

There were none.

Chairman Lee asked for any other questions from the Board.

Motion by Spilde, second by Curt Lundquist to approve the 25 year extension incorporating the findings from the last hearing with the provision of compliance with the US Fish and Wildlife reclamation requirements

All present voted by roll call: Lee – aye, Nelson – aye, Spilde – aye, Walls – aye, Lundquist – aye. Motion carried.

The Finding of Facts and Conclusions of Law are available for review at the Kingsbury County Auditor Office.

#### MINUTES

Motion by Walls, second by Nelson to approve the minutes of July 7, 2026. All present voting aye. Motion carried.

Motion by Nelson, second by Spilde to adjourn from Board of Adjustment at 10:31 A.M. All present voting aye. Motion carried.

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Kyle Lee, Chairman

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